

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Chad Alvarez

Case No. 4:23-mj-30097
Judge: Ivy, Curtis
Filed: 03-09-2023 At 12:27 PM
CMP USA v. Chad Alvarez (krc)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 7, 2023 in the county of Genesee in the
Eastern District of Michigan, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 922(g)(1)	Felon in Possession of a Firearm

This criminal complaint is based on these facts:

See Attached Affidavit

Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: March 9, 2023

City and state: Bay City, Michigan


Complainant's signature

Special Agent Candace Booth, ATF&E
Printed name and title


Judge's signature

Patricia T. Morris, United States Magistrate Judge
Printed name and title

AFFIDAVIT

I, Candace Booth, being duly sworn, depose and state the following:

Introduction and Agent Background

1. I have been employed as a Special Agent (SA) with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), currently assigned to the Flint, Michigan, Field Office. I have been an ATF Special Agent since 2009. I have had extensive training at the Federal Law Enforcement Training Center in the Criminal Investigator Training Program and ATF Special Agent Basic Training. Before working for the ATF, I was a US Border Patrol Agent. I have participated in numerous state and federal investigations including narcotics trafficking, illegal firearms possession, firearms trafficking, shooting investigations, as well as other types of criminal investigations. Because of my involvement in these and other investigations, I have sworn to several federal search and arrest warrants.

2. I make this affidavit from my personal knowledge based on my participation in this investigation, my review of reports and other materials prepared by those who have personal knowledge of the events and circumstances described herein and information gained through my training and experience. The information outlined below is provided for the limited purpose of establishing

probable cause and does not contain all details or all facts of which I am aware relating to this investigation.

3. Based on the facts below, I believe that on March 7, 2023, Chad Alvarez, (XX/XX/1985), knowingly possessed a firearm as a felon, in violation of 18 U.S.C. § 922(g)(1).

Probable Cause

4. On March 7, 2023, Flint Police Department Sgt. Tisdale was patrolling in a fully marked patrol car near Western Rd. and Leith St. in the city of Flint, within the Eastern District of Michigan. Sgt. Tisdale was reviewing the FLOCK safety system for stolen vehicles when he received notification of a vehicle bearing MI Registration CXQ186. Sgt Tisdale learned that the plate CXQ186 was attached to a silver Pontiac G6. Sgt Tisdale checked the license plate through LEIN and learned that it was registered to a 2007 Dodge Nitro and entered as stolen by Shiawassee County on 12-25-2022. At approximately 1938 hours, Sgt. Tisdale observed a silver Pontiac G6, with the passenger side headlight out, driving southbound on Western RD. Sgt. Tisdale followed the vehicle and observed the license plate as CXQ186. SGT Tisdale advised dispatch that he was going to make a traffic stop and aired the make/model/vehicle description over the radio. After travelling a short distance eastbound on Henry Street, Sgt. Tisdale activated his overhead lights to initiate a traffic stop. The vehicle continued eastbound and disregarded the overhead lights. Sgt.

Tisdale then activated the patrol car siren and the Pontiac G6 suddenly accelerated away from Sgt. Tisdale, failing to stop and continued driving above the posted speed limit.

5. The Pontiac G6 turned from Henry Street onto Branch Rd., disregarding a stop sign before moving southbound on Branch Rd. until it turned eastbound onto Arizona Ave. When directly behind the Pontiac, Sgt. Tisdale saw a black object thrown from the driver's side window. Sgt. Tisdale watched the object hit the pavement in front of his police vehicle and saw that it appeared to be a black handgun. Sgt. Tisdale also observed that the gun appeared to have had a magazine in it that separated upon impact. Sgt. Tisdale called out on the radio that the driver had thrown a firearm from the vehicle, describing his location on Arizona Ave., just east of Branch Rd. Officer Deshawn Perry traveled to that location soon after and found, on the street, a Smith & Wesson, model M&P9, 9 mm caliber handgun with an obliterated serial number, and separated magazine.

6. The Pontiac continued fleeing eastbound, disregarding the police vehicle behind it and reaching speeds up to 90 miles per hour. The driver eventually stopped in the middle of the intersection at Virginia St. and Lorraine Ave. There, Sgt. Tisdale drew his firearm, exited his patrol vehicle, and issued loud verbal commands to the driver to put his hands up and exit the vehicle. The driver complied. Sgt. Tisdale took the driver into custody without issue and identified him as Chad Allen Alvarez, DOB

XX/XX/1985. The passenger was identified, did not have any warrants nor any contraband, and was released on scene. Sgt. Tisdale escorted Alvarez to his police vehicle. Sgt. Tisdale asked Alvarez if he had any weapons on his person. Alvarez stated no. When patting Alvarez down before placing him in the police vehicle, Sgt. Tisdale located a small, white, and rock-like substance in Alvarez's front left pants pocket. Alvarez advised it was crack. Sgt. Tisdale also found a large amount of cash in that same pocket.

7. While looking in the Pontiac G6, Sgt. saw a knotted clear plastic baggie containing a white rock-like substance on the backseat floorboard, just behind the center console. It was suspected to be crack cocaine.

8. On March 8, 2023, I conducted a criminal history check for Chad Alvarez. I found that Alvarez has prior, felony convictions from state courts in Michigan:

- a. 7th Circuit Court-2010- Attempt-Felony Weapons-Carry Concealed;
- b. 48th Circuit Court-2019-Felony Controlled Substance-Possess Cocaine, Heroin, or another Narcotic;
- c. 7th Circuit Court -2020-Felony Financial Transaction Device; and
- d. 36th Circuit Court- 2021- Felony Controlled Substance- Possession of Methamphetamine.

These felonies are all punishable by more than one year in prison.

9. On March 8, 2023, I Spoke with ATF Special Agent Dustin Hurt, who is a Firearms Interstate Nexus trained Special Agent. From the information provided and based on Special Agent Hurt's training and experience, the above-described Smith & Wesson 9mm caliber handgun was manufactured outside of the state of Michigan, and therefore traveled in or affected interstate or foreign commerce before Alvarez possessed it. The above-described Smith & Wesson 9mm caliber handgun is also a "firearm" as defined in 18 U.S.C. § 921.

Conclusion

10. Based upon the facts stated above, there is probable cause to believe that on March 7, 2023, in the Eastern District of Michigan, Chad Alvarez knowingly possessed a firearm, that traveled through interstate commerce, after having been convicted of a crime punishable by imprisonment for a term exceeding one year, and knowing that he had been convicted of such a crime, all in violation of 18 U.S.C. § 922(g)(1).



CANDACE BOOTH, Affiant
Special Agent
Bureau of Alcohol, Tobacco, Firearms & Explosives

Sworn to before me and signed in my presence and/or by reliable electronic means on March 9, 2023.



PATRICIA T. MORRIS
United States Magistrate Judge